

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 8.5 Consumer Products

Article 3. Aerosol Coating Products

§ 94522. Standards and Requirements for Aerosol Coating Products.

(a)(1) Except as provided in sections 94523 (Exemptions), 94525 (Variances), 94540 through 94555 (Alternative Control Plan), 94567(a)(1) (Hairspray Credit Program), Title 17, California Code of Regulations, no person shall sell, supply, offer for sale, apply, or manufacture for use in California, any aerosol coating product which, at the time of sale, use, or manufacture, contains volatile organic compounds in excess of the limits specified in the following Table of Standards after the specified effective dates.

Table of Standards Percent Volatile Organic Compounds by Weight ¹		
<i>Aerosol Coating Category</i>	<i>1/8/96</i>	<i>1/1/2002</i>
General Coatings		
Clear Coatings	67.0	50.0
Flat Paint Products	60.0	40.0
Fluorescent Coatings	75.0	60.0
Metallic Coatings	80.0	65.0
Nonflat Paint Products	65.0	45.0
Primers	60.0	40.0
Specialty Coatings		
Art Fixatives or Sealants	95.0	60.0
Auto Body Primers	80.0	45.0
Automotive Bumper and Trim Products	95.0	75.0
Aviation or Marine Primers	80.0	70.0
Aviation Propeller Coatings	84.0	70.0
Corrosion Resistant Brass, Bronze, or Copper Coatings	92.0	70.0
Exact Match Finishes:		
Engine Enamel	80.0	50.0
Automotive	88.0	50.0
Industrial	88.0	70.0
Floral Sprays	95.0	70.0
Glass Coatings	95.0	65.0
Ground Traffic/Marking Coatings	66.0	45.0
High Temperature Coatings	80.0	60.0
Hobby/Model/Craft Coatings:		
Enamel	80.0	70.0
Lacquer	88.0	70.0
Clear or Metallic	95.0	80.0
Marine Spar Varnishes	85.0	60.0
Photograph Coatings	95.0	70.0
Pleasure Craft Finish Primers	75.0	55.0
Surfacers or Undercoaters		
Pleasure Craft Topcoats	80.0	55.0
Shellac Sealers:		
Clear	88.0	70.0
Pigmented	75.0	60.0
Slip-Resistant Coatings	80.0	60.0
Spatter/Multicolor Coatings	80.0	55.0
Vinyl/Fabric/Leather/Polycarbonate	95.0	70.0
Webbing/Veil Coatings	90.0	80.0
Weld-Through Primers	75.0	50.0
Wood Stains	95.0	75.0
Wood Touch-Up, Repair or Restoration Coatings	95.0	90.0

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¹As specified in section 94522(c), for aerosol coating products containing methylene chloride, the VOC standards specified in this subsection (a) shall apply to the combined percent VOC and methylene chloride by weight.

(a)(2) if an aerosol coating product is subject to both a general coating limit and a specialty coating limit, as listed in section 94522(a)(1), and the product meets all the criteria of the applicable specialty coating category as defined in section 94521, then the specialty coating limit shall apply instead of the general coating limit.

(a)(3) Notwithstanding the provisions of sections 94522(a)(2) or 94524(a), high-temperature coatings that contain at least 0.5 percent by weight of an elemental metallic pigment in the formulation, including propellant, shall be subject to the VOC limit specified for metallic coatings.

(b) Sell-Through Products. Notwithstanding the provisions of section 94522(a), an aerosol coating product manufactured prior to each of the effective dates specified for that product in the Table of Standards may be sold, supplied, offered for sale, or applied for up to three years after each of the specified effective dates. This subsection (b) does not apply to any Product which: (1) is subject to the provisions of Bay Area Air Quality Management District Rule 8-49 and is sold, supplied, offered for sale, or applied within the Bay Area Air Quality Management District; or (2) does not display on the Product container or package the date on which the product was manufactured, or a code indicating such date.

(c) Products Containing Methylene Chloride. For any aerosol coating product containing methylene chloride, the VOC standards specified in section 94522(a) shall apply to the combined percent by weight of both volatile compounds, and methylene chloride, calculated as follows:

(Percent by weight VOC + Percent by weight methylene chloride) must be less than or equal to the applicable VOC standard.

(d) Products Containing Perchloroethylene or Ozone Depleting Substances.

(1) After the effective date of this article, for any aerosol coating product for which standards are specified under section 94522(a), no person shall sell, supply, offer for sale, apply, or manufacture for use in California any aerosol coating product which contains perchloroethylene, or an ozone depleting substance identified by the United States Environmental Protection Agency in the Code of Federal Regulations, 40 CFR Part 82, Subpart A, under Appendices A and B, July 1, 1998. The requirements of this section 94522(d) shall not apply to (A) any existing product formulation that complies with the Table of Standards and was sold in California during calendar year 1992, or (B) any product formulation that was sold in California during calendar year 1992 that is reformulated to meet the Table of Standards, as long as the content of perchloroethylene, or ozone depleting substances, as identified in this section 94522(d), in the reformulated product does not increase.

(2) The requirements of section 94522(d)(1) shall not apply to any aerosol coating product containing perchloroethylene, Or an ozone depleting substance as identified in section 94522(d)(1), that are present as impurities in a combined amount equal to or less than 0.01% by weight of the product.

(e) Multicomponent Kits. No person shall sell, supply, offer for sale, apply, or manufacture for use in California any multi-component kit, as defined in section 94521, in which the total weight of VOC and methylene chloride contained in the multi-component kit (Total VOC + MC)_{actual} is greater than the total weight of VOC and methylene chloride that would be allowed in the multi-component kit if each component product in the kit had separately met the applicable VOC standards (Total VOC+ MC)_{standard} as calculated below:

$$\begin{aligned}(\text{Total VOC} + \text{MC})_{\text{actual}} &= (\text{VOC}_1 \times \text{W}_1) + (\text{MC}_1 \times \text{W}_1) + (\text{VOC}_2 \times \text{W}_2) + \\ &\quad (\text{MC}_2 \times \text{W}_2) + (\text{VOC}_n \times \text{W}_n) + (\text{MC}_n \times \text{W}_n) \\ (\text{Total VOC} + \text{MC})_{\text{standard}} &= (\text{STD}_1 \times \text{W}_1) + (\text{STD}_2 \times \text{W}_2) + (\text{STD}_n \times \text{W}_n)\end{aligned}$$

Where:

VOC = the percent by weight VOC of the component product

MC = the percent by weight methylene chloride of the component product

STD = the VOC standard specified in section 94522(a) which applies to the component product.

W = the weight of the product contents (excluding container)

Subscript 1 denotes the first component product in the kit

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Subscript 2 denotes the second component product in the kit

Subscript n denotes any additional component product

(f) Products Assembled by Adding Bulk Paint to Aerosol Containers of Propellant. No person shall sell, supply, offer for Sale, apply, or manufacture for use in the state of California any aerosol coating product assembled by adding bulk paint to aerosol containers of propellant, unless such products comply with the standards specified in section 94522(a).

(g) Requirements for Lacquer Aerosol Coating Products.

(1) Notwithstanding the provisions of Section 94522(a), lacquer aerosol coating products may be sold, supplied, offered For sale, applied, or manufactured for use in California with a combined VOC and methylene chloride content of up to 80 percent by weight until January 1, 1998.

(2) On or after January 1, 1998, all lacquer aerosol coating products sold, supplied, offered for sale, applied, or manufactured for use in California shall comply with the provisions of section 94522(a), except that lacquer aerosol coating products manufactured prior to January 1, 1998 may be sold, supplied, offered for sale, or applied until January 1, 2001, as long as the product displays on the product container or package the date on which the product was manufactured or a code indicating such date.

(3) This subsection (h) does not apply to: (A) any lacquer coating product not clearly labeled as such, or (B) any lacquer coating product which is sold, supplied, offered for sale, applied, or manufactured for use in the Bay Area Air Quality Management District (BAAQMD) and is subject to BAAQMD Rule 8-49, or (C) any lacquer coating product that meets the definition of "clear coating" specified in section 94521.

NOTE: Authority cited: Sections 39600, 39601 and 41712, Health and Safety Code. Reference: Sections 39002, 39600, 40000 and 41712, Health and Safety Code.

REFERENCE